

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

LEONARD JOSEPH YANKTON,

Plaintiff,

vs.

GREGORY CODY, OFC #830, individually;  
and AARON PETH, OFC #1724, individually;

Defendants.

**4:18CV3026**

**AMENDED ORDER  
SETTING SCHEDULE FOR  
PROGRESSION OF CASE**

This matter is before the Court on the pro se Plaintiff's Request for Postponement ([Filing No. 19](#)). Plaintiff represents he is undergoing treatment for a serious illness and requests that the Court postpone deadlines in this case for four months. After review of the motion, the Court finds it should be granted. Accordingly,

**IT IS ORDERED:** Plaintiff's Request for Postponement ([Filing No. 19](#)) is granted, and the case progression deadlines are extended as follows:

**1. Discovery.**

- a.** All interrogatories, requests for admission and requests for production or inspection, whether or not they are intended to be used at trial, shall be served on or before **December 10, 2018**.
- b.** All depositions, whether or not they are intended to be used at trial, shall be completed by **February 7, 2019**.

**2.** All **motions to amend** the pleadings shall be filed on or before **January 17, 2019**. The parties must comply with the provisions of NECivR [15.1](#) when moving to amend the pleadings.

**3. Motions to compel** discovery shall be filed on or before **January 29, 2019**. The parties must comply with the provisions of NECivR [7.1](#)(i) before filing a motion to compel. **Motions that do not comply with all requirements of NECivR [7.1](#) may be summarily denied.**

4. **Dispositive Motions.** All dispositive motions shall be filed on or before **April 1, 2019**. The parties must comply with the provisions of NECivR [7.1](#) and NECivR [56.1](#) when filing summary judgment motions.
5. **Pretrial Conference.**
- a. **Defense counsel** will have the primary responsibility for drafting the **Order on Final Pretrial Conference**, pursuant to the format and requirements set out in NECivR [16.2](#)(a)(2). Plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. **Plaintiff's failure to cooperate or participate in the preparation of the Order on Final Pretrial Conference may result in sanctions, including a recommendation that the case be dismissed.**
  - b. Defendant shall submit the proposed Order on Pretrial Conference to Plaintiff and to any other parties by **June 10, 2019**.
  - c. Plaintiff shall provide additions and/or proposed deletions to Defense counsel by **June 24, 2019**.
  - d. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. **The Proposed Order on Final Pretrial Conference must be signed by the pro se party and by counsel for all represented parties.**
  - e. Defense counsel shall submit the Proposed Order on Final Pretrial Conference the undersigned magistrate judge by e-mail at [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov) no later than **July 8, 2019**.
  - f. The Final Pretrial Conference will be held before the Magistrate Judge on **Monday, July 15, 2019, at 10:00 a.m.** Prior to the pretrial conference, all items as directed in NECivR [16.2](#) and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.
6. The **trial date** will be set by the Magistrate Judge at the time of the Final Pretrial Conference.

**DATED** this 1<sup>st</sup> day of August, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge